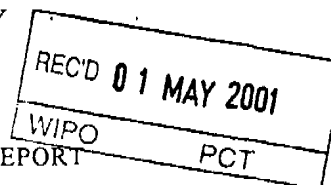


## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



14

Applicant's or agent's file reference 910/27	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/25451	International filing date (day/month/year) 28 OCTOBER 1999	Priority date (day/month/year) 04 NOVEMBER 1998
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant INSIGHT STRATEGY & MARKETING LTD.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>54</u> sheets.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>6</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 12 APRIL 2000	Date of completion of this report 26 MARCH 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer REBECCA PROUTY
Facsimile No. (703) 305-3230	Telephone No. (703) 308-0196

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/25451

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages (See Attached) \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages (See Attached) \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement) under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages (See Attached) \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the description:  
 pages (See Attached) \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig. NONE

### 5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/25451

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. statement

Novelty (N)	Claims <u>1-43</u>	YES
	Claims <u>none</u>	NO
Inventive Step (IS)	Claims <u>1-43</u>	YES
	Claims <u>none</u>	NO
Industrial Applicability (IA)	Claims <u>1-30</u>	YES
	Claims <u>NONE</u>	NO

## 2. citations and explanations (Rule 70.7)

Claims 1-43 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a monoclonal antibody to heparanase capable of neutralizing heparanase catalytic activity. Applicants have shown that the antibodies of Fuks et al. are not specific for heparanase but instead for PAI-1 which contaminated the antigen preparations of Fuks et al.

## ----- NEW CITATIONS -----

BENDIG, M. Humanization of Rodent Monoclonal Antibodies by CDR Grafting. *Methods: A Companion to Methods in Enzymology*. 1995. Vol. 8, pages 83-93, see entire article.

KOHLER, G. et al. Continuous Cultures of Fused Cells Secreting Antibody of Predefined Specificity. *Nature*. 1975. vol. 256, pages 495-497, see entire article.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/25451

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**CLASSIFICATION:**

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): A61K 39/395, 38/47; C07K 16/40 and US Cl.: 424/133.1, 139.1, 146.1, 185.1, 94.61; 530/387.9388.26

**I. BASIS OF REPORT:**

This report has been drawn on the basis of the description,

page(s) 1-20, as originally filed.

page(s) NONE, filed with the demand.

and additional amendments:

NONE

This report has been drawn on the basis of the claims,

page(s) none, as originally filed.

page(s) NONE, as amended under Article 19.

page(s) NONE, filed with the demand.

and additional amendments:

Claim pages 21-26, filed with the letter of 15 February 2001.

This report has been drawn on the basis of the drawings,

page(s) 1, as originally filed.

page(s) NONE, filed with the demand.

and additional amendments:

NONE

This report has been drawn on the basis of the sequence listing part of the description:

page(s) NONE, as originally filed.

pages(s) NONE, filed with the demand.

and additional amendments:

NONE